

Remarks

No amendments are being made, for the reasons set out below.

Jardetsky is cited against various independent claims and so will be discussed briefly now. It shows (abstract) "In a provisioning phase, a primary plan and recovery plan for a connection to be protected in a communications network are developed. Forwarding information in the form of mapping or forwarding tables is derived from the plans and is distributed to each of the switches in the network. In the event of a failure each switch receives notice of the failure and switches to the recovery plan related to the failure. If and when the failure is repaired or cleared, each switch then switches back to its primary plan." The recovery plan may include one or more recovery routes (col 4). "It is possible to include protection against more than one fault condition." (col 4 line 57-58). Col 9 discusses multiple point failures, which can be protected against in some cases. Col 5 line 20 onwards discusses determining a recovery route for each failure condition, then deriving a set of recovery mappings for the switches to be able to implement that recovery route when it is needed.

Regarding the rejection of independent claim 1 for anticipation by Jardetsky, this claim has the features of "if no path is available removing fewer selected adjacencies from the overlay topology and repeating said path computation." There is no suggestion or disclosure of these features in the cited parts of Jardetsky or in any part of it. In particular, there is no discussion of distinguishing an overlay topology from a transport topology. Secondly there is no disclosure or suggestion of what to do during path computation if no path is found round a set of removed adjacencies. Thirdly there is disclosure or suggestion of removing fewer selected adjacencies to find a path. Hence Jardetsky cannot anticipate this claim.

Regarding independent claim 3, this claim recites a method of calculating a protection path by defining in a model of the network "a hierarchy of protection

levels, each said protection level being characterized by a respective set of broken adjacencies in said model; attempting to calculate a recovery path for a selected protection level in said hierarchy; and if no said path is available, repeating said calculation attempt for successive further protection levels in said hierarchy until a protection path is identified."

There is no suggestion in the cited parts of Jardetsky of any hierarchy of protection levels. Nor is there any suggestion of is no disclosure or suggestion of what to do during path computation if no path is found round a set of removed adjacencies. Thirdly there is disclosure or suggestion of trying a different level in any hierarchy of different sets of broken adjacencies to find a path. Hence Jardetsky cannot anticipate this claim.

Regarding independent claim 4, this has features corresponding to those of claim 3 and so is not anticipated for the same reasons.

Regarding independent claim 15, this recites "a method of identifying a protection path and if said calculated path is not an available path in the network, successively assuming the failure of fewer network elements and repeating the path calculation and determination steps for each successive assumption until an available protection path is identified." Hence this is not anticipated for the same reasons as claim 1.

Independent claim 16 has the features of "Software in machine readable form for identifying a protection path... and if said calculated path is not an available path in the network, successively assuming the failure of fewer network elements and repeating the path calculation and determination steps for each successive assumption until an available protection path is identified." Hence this is not anticipated for the same reasons as claim 1.

Independent claim 17 recites a "method of network management for planning fault recovery paths ... and if no recovery path is available removing fewer selected adjacencies from the overlay topology and repeating said recovery path computation." Hence this is not anticipated for the same reasons as claim 1.

Independent claim 18 recites a "method of network management for planning fault recovery paths ... and if said calculated path is not an available path in the network, successively assuming the failure of fewer network elements and repeating the path calculation and determination steps for each successive assumption until an available protection path is identified." Hence this is not anticipated for the same reasons as claim 1.

Independent claim 19 recites a "network manager for a multi-layer communications network and for planning fault recovery paths...and if said calculated path is not an available path in the network, successively assuming the failure of fewer network elements and repeating the path calculation and determination steps for each successive assumption until an available protection path is identified." Hence this is not anticipated for the same reasons as claim 1.

Independent claim 21 relates to a "communications networkprovided with a path protection system for calculating recovery traffic paths... and if no path is available, to remove fewer selected adjacencies from the overlay topology in said model and repeat said path computation." Hence this is not anticipated for the same reasons as claim 1.

All the dependent claims are allowable as they depend on main claims that are submitted to be allowable.

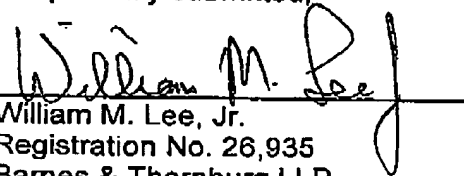
Regarding the rejection of dependent claim 7 for obviousness over Jadetsky and Bader, this now falls away as claim 7 is dependent on an allowable main claim.

Bader is only cited as showing selecting a protection level according to a class of traffic, and thus this reference does not affect the above arguments.

Accordingly all the points raised have been dealt with, all the claims are submitted to be allowable and reconsideration is requested.

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Respectfully submitted,


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